

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DALE MCMANN and JANICE MCMANN,  
husband and wife,

Plaintiffs,

v.

AIR & LIQUID SYSTEMS CORP., et al.,

Defendants.

NO. 2:14-cv-00281-RSM

ORDER GRANTING CRANE CO.'S  
MOTION FOR SUMMARY  
JUDGMENT

This matter comes before the Court on Defendant Crane Co.'s Motion for Summary Judgment. Dkt. #165. Crane Co. seeks dismissal of the claims against it on four bases: 1) that there is no evidence Dale McMann ever worked with material containing asbestos manufactured, sold or specified for use by Crane Co.; 2) that Plaintiffs have failed to establish that Crane Co. owed any duty to warn to Mr. McMann; 3) that Plaintiffs have failed to establish that any asbestos-containing material manufactured, sold or specified for use by Crane Co. was a substantial factor in causing Mr. McMann's disease; and 4) that Plaintiffs have offered no evidence to support their remaining claims. *Id.* Plaintiffs have failed to respond to the motion. "If a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the motion has merit." Local Rule CR 7(b)(2).

1 The Court has reviewed the motion and supporting declarations, and finds the motion  
2 has merit. The Court also deems Plaintiff's failure to respond to the motion as an admission of  
3 the same. Accordingly, the Court hereby finds and ORDERS:

- 4 1. Crane Co.'s Motion for Summary Judgment (Dkt. #165) is GRANTED and all  
5 claims against it are DISMISSED with prejudice.  
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7 2. Crane Co. is dismissed as a party to this action.

8 DATED this 25<sup>th</sup> day of November, 2014.

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11 RICARDO S. MARTINEZ  
12 UNITED STATES DISTRICT JUDGE  
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